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Attorneys for Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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	:	
In re:	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:	Case No. 08-13555 (JMP)
	:	
	:	(Jointly Administered)
	:	
Debtors.	:	
	:	
-----	X	

**NOTICE OF SUBPOENA ISSUED PURSUANT TO ORDER GRANTING THE  
DEBTORS AUTHORITY TO ISSUE SUBPOENAS FOR THE PRODUCTION  
OF DOCUMENTS AND AUTHORIZING THE EXAMINATION OF  
PERSONS AND ENTITIES**

Pursuant to the Order Granting the Debtors Authority to Issue Subpoenas for the Production of Documents and Authorizing the Examination of Persons and Entities, entered on November 23, 2009 (the "Order"),<sup>1</sup> the Court granted Lehman Brothers Holdings Inc. and its affiliated debtors in the above-referenced chapter 11 cases (together, the "Debtors") authority to issue subpoenas requiring persons or entities to produce documents to the Debtors and/or submit to examinations by the Debtors.

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<sup>1</sup> All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Order.

As required by the Order, the Debtors hereby file: (i) notice of the subpoena, naming the witness and setting forth the date, time and place of any examination and for the production of any documents (attached hereto as Exhibit A); and (ii) a declaration of service (attached hereto as Exhibit B).

Dated: May 17, 2010  
New York, NY

JONES DAY

s/ Jayant W. Tambe

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Possession*

**EXHIBIT A**

**NOTICE OF SUBPOENA**

Name of Witness:	Guggenheim Capital, LLC
Date of Service of Subpoena:	May 14, 2010
Subject of Subpoena:	Examination and Production of Documents pursuant to Fed. R. Bankr. P. 2004
Date, Time and Place of any Examination and for the Production of any Documents	Examination to be taken on July 7, 2010 at 2:00 P.M. (CST) at Jones Day, 77 West Wacker Drive, Suite 3500, Chicago, Illinois 60601  Documents to be produced by June 14, 2010 at 10:00 A.M. (CST) at Jones Day, 77 West Wacker Drive, Suite 3500, Chicago, Illinois 60601, Attn: Charma Dudley

**EXHIBIT B**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
CASE NO. 08-13555 (JMP)  
AFFIDAVIT OF SPECIAL PROCESS SERVER

**Justin Turner**, being first duly sworn on oath deposes and says that he served process in the above mentioned cause.

That he served the within:

- ☐ Summons & Complaint
- ☐ Citation to Discover Assets
- ☐ Rule to Show Cause
- ☒ Subpoena
- ☒ Other: **Witness & Mileage Fee: \$45.00**

1. ☐ By leaving a copy with the named party, ----- personally on -----.

2. ☐ On the within named party, -----, by leaving a copy with -----, -----, who states that they are a member of the household on -----, and informed that person of the contents thereof, and that further he mailed a copy of same in a sealed envelope with postage prepaid addressed to the party on -----.

3. ☒ On the within party, **Guggenheim Capital, LLC c/o Richard Michaels, R.A.** by leaving a copy with **Mary Beth Matela, Secretary and Authorized Person**, on **May 14, 2010**, and informed that person of the contents thereof.

4. ☒ That the sex, race and approximate age of the person with whom he left the documents were as follows:

SEX: **Female**

RACE: **Caucasian**

APPROXIMATE AGE: **50**

5. ☒ That the place where and the time of day when the documents were served were as follows:

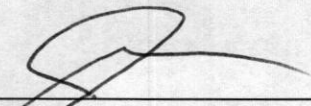
PLACE: **311 S. Wacker Drive, Suite 4400, Chicago, IL**

TIME OF DAY: **4:05 PM**

6. ☐ That he was unable to serve the within named party ----- located at ----- for the reason: -----

Signed and Sworn to before me  
This **17<sup>th</sup>** day of **May 2010**.



  
Justin Turner  
Special Process Server  
IT'S YOUR SERVE, INC.  
Private Detective No. 117-000885